

Docket No.: 44033-093



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

J. Peter KLEIN, et al.

Application No.: 09/544,984

Filed: April 07, 2000

For: THERAPEUTIC COMPOUNDS FOR INHIBITING INTERLEUKIN-12 SIGNALING  
AND METHODS FOR USING SAME

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Group Art Unit: 1617

Examiner: Mojdeh Bahar

**RESPONSE TO RESTRICTION/ELECTION OF SPECIES REQUIREMENT**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

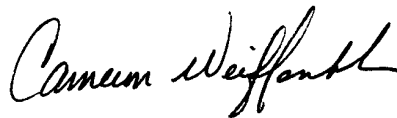
In response to the Office Action dated July 5, 2001, Applicants hereby elect Group I, corresponding to claims 1-18 and 29-36 for prosecution on the merits. The election is made with traverse because it is believed that a search for all of the pending claims can be made without a serious burden on the U.S. Patent and Trademark Office. The Examiner has further required an election of a single disclosed species. Applicants hereby elect the species wherein  $R_1$  is  $C_{(5-9)}$  hydroxyalkyl,  $R_2$  is methyl, X and Y are  $NH$ , and Z is  $C(R_3)$  where  $R_3$  is  $C_{(1-20)}$  alkylaminoalkyl. As acknowledged by the Examiner, it is believed that claims 1-46 are generic to the elected species.

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The above election of species is being made without traverse to extent that it is understood that (i) the requirement will be withdrawn upon the finding of an allowable genus and (ii) any species withdrawn from consideration will be transferred to the elected subject matter unless it is found patentably distinct from the elected or allowed claims.

Respectfully submitted,

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